

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

27.

MA 2605/2024 in OA 289/2021

Ex NK (GD) Mahavir Yadav Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. A.K. Trivedi, Advocate
Mr. Rajiv Manglik, Advocate
For Respondents : Mr. D K Sabat, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE RASIKA CHAUBE, MEMBER (A)

ORDER
24.10.2024

MA 2605/2024

This application has been filed seeking execution of an order passed by this Tribunal in the OA on 12th February, 2021. The said OA was disposed of on the very first date directing the respondents to take a decision on the first appeal filed by the applicant in the matter of grant of disability pension by a speaking order within a reasonable period of time.

2. Today, learned counsel for the respondents has produced before us an order passed by the First Appellate Authority on 1st September, 2022 rejecting the first appeal on the ground recorded in the said order. That being so, no further action is required to be taken in the matter. However, in case the applicant still has any grievance with regard to the manner in which the

appeal has been decided, liberty shall be available to him to assail the same in accordance with law before an appropriate authority.

3. It is pointed out by learned counsel for the applicant that he has received the order passed by the First Appellate Authority only today. Considering the aforesaid, it is directed that now the liberty shall be available to the applicant to challenge the order without taking recourse to the policy of filing of second appeal. This order, dispensing with the filing of the second appeal, has been passed in the peculiar facts and circumstances of this case and shall not be treated as a precedence.

5. MA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[RASIKA CHAUBE]
MEMBER (A)**

/vks/